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REVIEW ARTICLE

CONCEPT OF TOURISM ORGANIZING FOR SUSTAINABLE BALINESE CULTURE

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ABSTRACT

The aim of this research is to analyze the concept of organizing sustainable Balinese cultural tourism with research results showing that (1) The nature of the role of indigenous communities in organizing sustainable Balinese cultural tourism by prioritizing the concept of cultural tourism and the Tri Hita Karana concept, so that both increase harmoniously, harmonious and balanced; and (2) The model for regulating the role of indigenous communities in organizing sustainable Balinese cultural tourism by indigenous communities focuses on long-term tourism development that minimizes negative impacts on the environment and the values of the Tri Hita Karana philosophy and local wisdom of Sad Kerthi are very appropriate to be applied in formulating development policies sustainable tourism. The local community empowerment model can of course provide opportunities for the community to play a role in the development of a tourist village so that it can improve the welfare of the local community which of course is expected to realize sustainable tourism development.

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INTRODUCTION

Cultural tourism is a type of tourism that utilizes the potential development of human cultural products as an object of attraction. This type of tourism can provide benefits in the socio-cultural field because it can help preserve cultural heritage as the identity of local communities who have that culture. Nowadays, cultural tourism is developing rapidly due to a new trend among tourists, namely the tendency to look for something unique and authentic from a culture. Culture has seven universal elements, namely: (1) language; (2) technology systems; (3) livelihood or economic system; (4) social organization; (5) knowledge system; (6) religion; and (7) art(Alfian, 2015). Much like Bali, which is an island that is famous for its diverse culture, customs and traditions. Bali has its own charm both in terms of natural beauty, the friendliness of the people and culture which cannot be separated from the social life of the community which is characterized by religious and social characteristics. Balinese culture is part of Indonesian culture which is known for its uniqueness in almost all parts of the world. This uniqueness is because Balinese culture is based on strong religious beliefs, namely Hindu religious beliefs. The soul of Balinese culture can be said to be based on Hinduism and traditional institutions as its container.

Tourism has become a sector that causes interaction and mobility of local and world communities which results in contact and mixing of cultures, between ethnicities and between nations. Tourists come with a culture that is actually different from the local culture. This gives rise to social pathogens and vulnerability to conflict. For this reason, the emphasis from a public policy perspective must aim at building cultural resilience, strengthening social integration and empowering local communities. Attention to sociocultural aspects in tourism is still very low. The legal issues in this research are related to the situation that has developed in Bali so far, showing how the culture of the Balinese traditional community is an important asset in organizing tourism service businesses. It cannot be denied that the attractiveness of Balinese culture has made Bali a reputable tourist destination. Thus, the culture of Balinese traditional people is a fundamental value of tourism in Bali. Culture in Bali is closely related to the existence of its traditional law community (Ida Bagus Wyasa Putra, 2023). For hundreds of years, they have created a very diverse culture that you will never get bored of enjoying. This culture also combines with the natural beauty of Bali. The religious system as an element of culture is truly reflected in Bali. Religious ceremonies starting from daily prayer activities, ceremonies at temples/regular prayer places (odalan), wedding ceremonies, tooth cutting ceremonies

(metatah), inauguration ceremonies for new building pemelaspasan, death ceremonies (ngaben), to gamelan art, dance and carving/sculpting are truly magnets for tourists (Ida Bagus Wyasa Putra, 2015). The culture of the Balinese traditional community is managed and implemented independently by the traditional community, but the profits from tourism service businesses tend to only be enjoyed by the government and tourism service entrepreneurs. Of the many costs incurred by the Balinese traditional community to maintain and maintain their culture, it seems that there is no adequate reciprocity from either the government or tourism service entrepreneurs. This is because there is no clear economic relationship between the three actors in Balinese culture, who are also stakeholders in the tourism sector, namely the government, entrepreneurs and (customary) communities.

This phenomenon can be identified as that on the one hand, the culture of the Balinese traditional community is used as a tourism economic resource, while on the other hand, culture has not been managed for the welfare of the Balinese traditional community. Ignoring this position certainly results in tourism management by the Balinese traditional community being in an ambiguous/unclear position. The culture of the Balinese indigenous people is secretly used as a tourism economic resource, but is indirectly left to be destroyed by the onslaught of tourism organizers. Such treatment results in damage to various markers of Balinese cultural identity which are the fundamental pillars of Balinese culture, such as damage to water resources, damage to spatial planning and the environment, deterioration of attitudes/actions and damage to other Balinese cultural identities (Ida Bagus Wyasa Putra, 2011). The position of culture in the Balinese traditional law community provides clearer inspiration regarding the structural and functional (instrumental) position and function of culture in the context of human life. This is where law is needed to maintain and sustain the existence and implementation of cultural functions. The opportunities for maintaining and sustaining Balinese culture are indeed greater, but as mentioned above, culture is not used as a tourism economic resource.

The different paradigms regarding the management and implementation of culture between the government and the Balinese traditional law community certainly require a new approach in forming related policies. The involvement of Traditional Villages as a forum for Balinese traditional communities in cultural management, cultural programs, management costs, parties who have the right to manage and organize culture, parties who have the right to enjoy the benefits from the use of culture as an economic resource need to be clarified in this new policy. Likewise, determining clear rights and obligations for cultural owners (Balinese customary law communities) and cultural users (government and tourism service entrepreneurs), so that they can participate in sustainable cultural development. The role of indigenous communities in organizing Balinese cultural tourism still has philosophical problems. Philosophically, for management by the Balinese traditional community in management based on Hindu religious values as reflected by the concept of Catur Purusha Artha, especially in relation to the Artha element which essentially states that in realizing the welfare of Jagadhita (Pancakreta) in the economic sector and supporting the implementation of the obligation to sacrifice According to Hinduism (pancayadnya), the regulation, supervision, guidance

and management of sustainable tourism must adhere to Dharma (satvam, shivam, sundaram) as well as the principle of independence (satyagraha) and the principle of sovereignty (swadeshi). These Hindu religious values are the soul (atman) of cultural tourism. The existence of sustainable tourism will be directed at improving the welfare of Traditional Village manners both individually and collectively. In accordance with the main objectives of Traditional Villages, laws and regulations related to culture and traditional villages will also provide protection for Balinese cultural identity. However, whether the existence of sustainable tourism can actually improve the welfare of Krama Desa has not been proven. The role of indigenous communities in organizing Balinese cultural tourism also has sociological problems. Sociologically, sustainable tourism management cannot be separated from various ecological, social and economic problems encountered in Traditional Villages in Bali. Starting from the dependence of the Balinese economy on various products and services from outside Bali, the dominance of investment from outside investors, the takeover of jobs and business opportunities by immigrants, the development of Small and Medium Enterprises (SMEs) and chain stores owned by outsiders which have mushroomed to various remote areas. Bali Island, to the problem of conversion and ownership of Bali land. So that through sustainable tourism management, Traditional Villages can become the heart of Balinese civilization in the implementation of Nangun Sat Kertih Loka Bali through a universal development pattern planning towards a new era of Bali. Bali still needs a shared economic system. With the guidance of the Bali Provincial Government and the Traditional Village Council, Traditional Villages need cooperation in managing sustainable tourism by traditional villages and it is hoped that Bali will have a distribution that supports the economy in Bali.

Regulating the role of indigenous communities in organizing Balinese cultural tourism still has juridical problems. Regulation of the role of indigenous communities in organizing Balinese cultural tourism refers to the customary laws of each traditional village. The problem is, customary law in each traditional village varies greatly and is not uniform. In addition, Bali Provincial Regulation Number 4 of 2019 concerning Balinese Traditional Villages (hereinafter referred to as Bali Provincial Regulation No. 4 of 2019), Bali Provincial Regulation Number 5 of 2020 concerning Standards for the Implementation of Balinese Cultural Tourism (hereinafter referred to as Bali Provincial Regulation Number 5 2020) and Bali Governor Regulation Number 28 of 2020 concerning Bali Tourism Management (hereinafter referred to as Bali Governor Regulation Number 28 of 2020) although it has regulated the authorities of Traditional Villages, it has not clearly regulated the authority of traditional villages to manage cultural tourism in Bali.

MATERIALS AND METHOD

This research utilize normative legal research, with legal approach, conceptual approach and case approach (I Made Pasek Diantha, 2017). Considering that this type of research is based on normative research, most of the data and legal materials used refer to secondary data which includes primary legal materials, consisting of various statutory regulations, jurisprudence and conventions related to reconstruction. Legal certainty from land ownership certificates through a legal

positivism approach in Indonesia, as well as secondary and tertiary legal materials (Ronny Hanitijo Sumitro, 2011). In collecting data, researchers utilize library research, both extensively and intensively. Library research aimed towards Library research aims to study, research and browse secondary data, which comes from legal resources (Bambang Waluyo, 2011). Legal materials are normative-perspective in nature, used primarily to examine legal issues related to the reconstruction of legal certainty from certificates of ownership of land through a legal positivism approach in Indonesia, based on their binding strength are classified as primary legal materials, secondary legal materials and tertiary legal materials (SoerjonoSoekanto, 2010). The data analysis technique utilized juridical analysis, namely analysis that is based on theories, concepts and statutory regulations.

RESULTS

Essence of Indigenous People's Role Within Sustainable Balinese Cultural Tourism: Recognition and respect for indigenous peoples means acceptance of the existing social system of life and its role as part of the state's way of life. The defense of cultural traditions is inherent in indigenous communities and the richness of these traditions becomes cultural capital in realizing the creation of an orderly society based on local wisdom that is maintained sustainably (I Gusti Agung Mas RwaJayantiari and I Gusti Ngurah Dharma Laksana, 2023)

Indigenous communities have their original authority, namely the existence of their legal system based on genuine autonomy which is protected based on Article 18 B paragraph (2) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution of the Republic of Indonesia. So that constitutionally the existence of these indigenous communities is recognized. By The Bali Provincial Government was realized through the formation of Bali Provincial Regulation Number 4 of 2019 concerning Traditional Villages in Bali. In Article 1 number 8 of the Bali Province Regional Regulation Number 4 of 2019, what is meant by Traditional Village is a customary legal community unit in Bali which has a territory and position. , the original structure, traditional rights, own wealth, traditions, the social etiquette of community life from generation to generation within the bounds of the holy place (kahyangantiga or kahyangan village), duties and authority as well as the right to regulate and manage one's own household.

Furthermore, Article 5 of the Bali Province Regional Regulation Number 4 of 2019 determines the Balinese Indigenous Community, namely Traditional Villages, as a legal subject. The main elements of a Traditional Village consist of Parahyangan, Pawongan, and Pabelasan which are the embodiment of the Tri Hita Karana philosophy (Article 6 paragraph (1) Bali Province Regional Regulation Number 4 of 2019). Tri Hita Karana originates from Balinese local wisdom values, namely the 6 (six) main sources of prosperity and happiness in the lives of Balinese people (Sad Kerthi) (Article 6 paragraph (3) Bali Province Regional Regulation Number 4 of 2019). In Article 14 paragraph (2) of the Bali Province Regional Regulation Number 4 of 2019, it is stated that awigawig, pararem, and other regulations of traditional villages are arrangements that aim to maintain life together in traditional villages so that they are harmonious, orderly and peaceful, as

well as efficient and successful. Use according to the principles of Gilik Saguluk, Parasparo, Salunglung Sabayantaka, Sarpana. Meanwhile, Article 21 of the Bali Province Regional Regulation Number 4 of 2019 regulates that Traditional Villages have the task of realizing Traditional Village customs which include tranquility, prosperity, happiness and peace both in and out of time. The task of Traditional Villages is to realize sakala and niskalakasukretan to advance customs, religion, traditions, arts and culture, as well as local wisdom of the Traditional Village community, which in this case is the development of community-based tourism villages (CBT). Community-based tourism village development is an approach that offers more roles for the community to be involved in the entire tourism village development process. Community-based tourism village development also recognizes the existence of the community as an integral part of the village, so that the process implemented is fully aimed at empowering the community and providing maximum benefits to the community.

Community-based tourism (CBT) is tourism development whose development and management is controlled by local communities, where the largest share of the benefits generated by tourism is enjoyed by local communities, both directly and indirectly involved in tourism. Community-based tourism has several characteristics, namely the presence of education and interpretation as part of the tourism product, increasing awareness of local communities and visitors regarding the importance of conservation efforts, generally intended for tourists in small numbers by service businesses owned by local communities, minimizing negative impacts on nature and the environment socio-cultural and supports efforts to protect nature (Haussler and Strasdas, 2003). Community-based tourism is a form of sustainable tourism. However, there are significant differences in between both concepts, communitybased tourism prioritize bottom-up approach, while sustainable tourism priorotize top-down approach. Bottom-up approach means initiative for tourism development came from the people, while top-down approach shows it coming from government (Asli D.A. Tasci, Kelly J. Semrad and Semih S. Yilmaz, 2013).

Public--based tourism is not a rigid concept. The application of the community-based tourism concept must be adapted to the characteristics of a destination, including its physical conditions, community, stakeholders and economic system. This adjustment is necessary considering that each destination has its own uniqueness so that it is different from one another. The differences in destination characteristics mean that there is no community-based tourism model that can be directly and appropriately implemented in different destinations without making adjustments (Asli D.A. Tasci, Kelly J. Semrad and Semih S. Yilmaz, 2013). From the explanation above, it can be seen that community-based tourism can be formulated, namely the principle of community participation, the principle of education, the principle of nature conservation, the principle of cultural conservation, and the principle of local economics. If implemented well, community-based tourism can provide economic benefits, namely increasing local community income through business profits and employment opportunities, alleviating poverty, restoring economic conditions and improving infrastructure. Community-based tourism even supports other economic effectiveness, both directly and indirectly related to tourism. In addition, community-based tourism can build networks between related sectors and create markets for prepared tourism products, contributing to balancing development, providing economic diversity, eliminating economic dependence on certain sectors, equalizing the distribution of employment opportunities and income opportunities. The benefits of community-based tourism on the environment are that it can encourage sustainable use and protection of sensitive natural resources, avoid exploitation and dependence on one resource, support non-consumptive use of natural resources, increase awareness of the environment at national and local levels, and increase understanding the relationship between the environment and sustainable economic development (Asli D.A. Tasci, Kelly J. Semrad and Semih S. Yilmaz, 2013). The main idea in these basic principles is a more balanced relationship between capital owners and local communities in the tourism industry. The balance referred to includes, among other things, community ownership status, fair distribution of benefits, socio-cultural relations based on mutual respect, and joint efforts to protect the environment. Organizment of community based development concept within some tourism destinations certainly will differ from community based development within other places. Through the establishment of community based development would obviously affect local community nearby, especially in the area of economy, environtment and social matters (Efsuko Okazaki, 2018).

CBT offers chances for local community who are mostly less skilled especially community within developing countries, for the development of sustainable tourism according to grassroots. CBT have more effects in comparison towards other tourism, such as development of local economy and poverty minimalization (Andrea Giampiccoli and Janet Hayward Kalis, 2018). For this reason, the main aim of implementing community based tourism in the context of a tourist destination is how each individual in the community is directed to become part of the tourism economic chain. This only happens if individuals are involved in every tourism development process and at the same time given the skills to develop tourism products in the form of small businesses. Tourism products cannot be separated from the fields of tourist attractions, tourism support services and transportation. It is in these three aspects that producers, both private, public and local communities, try to provide the best service so that their needs for tourists as consumers are met.

At this critical point, cooperation between investors, local communities and the government is very necessary to jointly improve the critical conditions experienced by the tourist objects and attractions of Jalan Prosecutor. As stated above, tourism development cannot be separated from the role of government. Because only the government has the power and ability to create political stability, security and provide legal certainty in the financial sector which is needed for the tourism sector (Efsuko Okazaki, 2018). In order to fulfill the development for tourism, it can be done through different methods and strategies.

Model for Regulating the Role of Indigenous Communities in Organizing Sustainable Balinese Cultural Tourism: Tourism policy is a product of a very complex process and is related to various aspects. The complexity of tourism is caused by various major changes at the local, national and international levels. In the context of these major changes, the tourism policy environment has become a strategic medium for the government to market its tourism potential.

In this condition, tourism policy becomes very strategic and important in tourism development. Tourism is a multidimensional and cross-sectoral industry. Involvement of all parties is needed because tourism is not an independent sector. Considering the linkages between sectors and handling tourism is increasingly complicated in the development of an integrated destination (William F. Theobald, 2005)

One of the stakeholders with significant role being good understanding from government within the planning and implementation every tourism planning consistently and continuously. Government certainly will put attention and ensure the development of said tourism will benefit and compress social, economical and environmental cost. On the other hand, businessperson who oriented towards benefits shall not rule what they could do, but government could do it through rules and regulations. For example, regulation of spatial, license, accreditation and legal. Government intervention in tourism development can be carried out by implementing several policy instruments that can be used to control and provide incentives in developing sustainable tourism, such as; land use regulations, limiting tourist access to areas prone to damage, protecting local culture, directing environmentally sound tourist behavior, limiting energy use, saving scarce natural resources, reducing pollution and providing incentives for infrastructure development that is also beneficial for hosts such as transportation systems, protection of urban green spaces and national parks (William F. Theobald, 2005). The selection of a policy instrument will be very decisive if it is based on a complete study of the objectives to be achieved in the most efficient way possible, not based on a partial and incomplete study. The most important thing also needs to be based on good morals and political will. The current issues regarding tourism planning only emphasize technical aspects, even though they are actually political issues involving the regulation of all existing tourism components in the context of moving towards sustainable tourism.

The role of the policy maker is very important in determining the tourism policies that will be taken to develop sustainable tourism. For this reason, policy makers need to understand the concept of good tourism planning. In various cases in Indonesia in general and Bali in particular, planning is very important as a guide for future development. Without comprehensive planning, Bali tourism development cannot be carried out sustainably. So far, development planning is still contained partially in each sub-activity sector. Sustainable tourism development has also been adopted as the vision for Bali's tourism development. The vision for Bali tourism development is to determine the quality of cultural tourism, be sustainable and have competitiveness based on Tri Hita Karana. Development in Bali has long legally adopted sustainable development as a development policy in Bali. However, in its development, formal and holistic regulations and indicators that can be adopted and used as guidelines in assessing development success are not fully available. Sustainable tourism policies cannot yet be implemented concretely in the development of Bali tourism. Furthermore, an environment-based sustainable tourism development strategy will be prepared based on tourism development which includes the tourism industry, tourism destinations, marketing and tourism institutions. The strategy constructed in relation to the development of environmentally based sustainable tourism is through policies issued by the government, implementing Tri Hita Karana, ensuring that all development is in accordance with its intended purpose so as to reduce negative impacts on the environment and empower local communities in tourism development. The government plays a very important role in developing environmentally based sustainable tourism. Governments should provide an environment that enables and encourages the private sector, tourists and other stakeholders to respond to sustainability issues. This can best be achieved by establishing and implementing a set of policies for tourism development and management, drawn up in concert with others, that place sustainability at its center. Governments must provide an enabling environment and encourage the private sector, tourists and other stakeholders to respond to sustainability issues (World Tourism Organization, 2005).

This is best achieved by establishing and implementing a set of policies for tourism development and management, developed jointly with other parties, that place sustainability at their centre. The government also plays a role in determining the direction of tourism development, especially in provinces and districts/cities. So that environmentally based sustainable tourism development should be formulated and contained in the Provincial Tourism Development Master Plan and Regency/City Tourism Development Master Plan.

Regional Government has an important role in tourism development and development. The role and authority of the Regional Government is to prepare and determine a master plan for provincial tourism development, coordinate the implementation of tourism in its territory, carry out registration, recording and data collection on tourism business registration, determine provincial tourism destinations, determine provincial tourist attractions, facilitate the promotion of tourism destinations and products. tourism in the region, maintaining provincial assets which become provincial tourist attractions and allocating the tourism budget. This is regulated in the provisions of Article 29 of Law Number 10 of 2009 concerning Tourism. The policies issued by the government of course play an important role in determining the direction of regional tourism development, especially in Bali. The direction of regional tourism development is regulated in the provisions of Article 11 of Bali Province Regional Regulation Number 10 of 2015 concerning the Bali Province Regional Tourism Development Master Plan for 2015-2029.

The direction of regional tourism development in Bali Province is towards quality, community-based and sustainable development. Sustainable elements are an important aspect in regional tourism development. Developed without concern for sustainability, tourism can not only damage societies and the environment, it can also contain the seeds of its own destruction (World Tourism Organization, 2005). It is known that tourism can not only damage society and the environment, but can also contain the seeds of its own destruction if its development is carried out without paying attention towards sustainability. The development of the tourism industry in Bali must of course be developed in a sustainable manner so that tourism development does not have a negative impact, especially on the environment. Based on this, it can be seen that sustainable tourism focuses on the existence of sustainable elements in the development of the tourism industry which aims to reduce the negative impacts that arise due to the rapid development of the tourism industry. Sustainable tourism also focuses on developing a sustainable tourism industry that involves local communities for the welfare of local communities as well. Sustainable in this case does not only consider environmental problems or issues but also economic, social, cultural, quality, health, safety and aesthetic issues. The second strategy is through the application of Tri Hita Karana values, especially in organizing tourism. In order to realize sustainable tourism development in Bali, the strategy used is to apply the ecotourism concept in tourism development and also apply the Tri Hita Karana concept which is a philosophical concept that is pervasive in the life of Balinese (Hindu) society (Rossi Evita, I Nyoman Sirthaand I Nyoman Sunartha, 2012).

Tri Hita Karana is the philosophy of life of the Balinese people which contains three elements that build balance and harmony in the relationship between humans and God, humans and humans, and humans and their environment which is a source of prosperity, peace and happiness for human life. This is regulated in the provisions of Article 1 number 15 of Regional Regulation Number 2 of 2012 concerning Bali Cultural Tourism. Even in the provisions of Article 2 it is emphasized that the implementation of Balinese Cultural Tourism is carried out based on Hindu religious values by applying the Tri Hita Karana philosophy. The relationship between humans and the environment is one of the values that is in line with the of development sustainable tourism, environmentally based tourism. Tri Hita Karana plays an important role in organizing tourism in Bali. In fact, Bali Provincial Regulation Number 5 of 2020 concerning Standards for the Implementation of Balinese Cultural Tourism states that to improve the quality, sustainability and competitiveness of Balinese Cultural Tourism. standards for implementation of Balinese Cultural Tourism are needed which are based on Tri Hita Karana which is sourced from Sad cultural values and local wisdom. Kerthi. In the provisions of Article 2 of the Regional Regulation, it is also emphasized that the standards for organizing Balinese cultural tourism are prepared based on principles imbued with the Tri Hita Karana philosophy which originates from the local wisdom of Sad Kerthi including: environmental friendliness, sustainability, balance, support for local resources, independence, democracy. , togetherness, participatory, transparency, accountability and benefits. The implementation of Bali Cultural Tourism includes planning, construction, development, management and supervision. In the provisions of Article 24 of Bali Provincial Regulation Number 5 of 2020, it is emphasized that the implementation of Balinese Cultural Tourism must pay attention to five things, namely local wisdom which originates from the values of the Tri Hita Karana philosophy based on the values of Sad Kerthi local wisdom, protection of the natural environment and Balinese culture. in a sustainable manner, empowering the economic potential of the community, fulfilling security, safety and health standards, and sustainable tourism businesses.

The third strategy is to ensure that all construction of tourism supporting facilities is in accordance with its intended purpose so as to reduce negative impacts on the environment. Sustainable management of natural resources and the environment is important. The problems that then arise are the low level of understanding of the importance of sustainable management of natural resources and the environment, the increase in spatial planning violations, and weak law enforcement against spatial planning violations (Ahmad Jazuli, 2017). This is one of the important things, especially in relation to the development of tourism support facilities in accordance

with statutory provisions. There must be a strong government commitment and political will in enforcing laws, especially those that are carried out carefully, proportionally and comprehensively in order to improve environmental conditions and strengthen community participation in planning, utilization and control, so that spatial planning policies have an impact. positive for the government, corporations and society (Ahmad Jazuli, 2017). This is in line with the Regulation of the Minister of Tourism of the Republic of Indonesia Number 14 of 2016 concerning Guidelines for Sustainable Tourism Destinations, which stipulates that there are guidelines, regulations, policies regarding planning that include environmental, economic, social, zoning, land use, design, construction and demolition impact assessments. , which was prepared together with local communities in order to protect natural and cultural resources. So policies or planning that specifically include environmental impact assessments, zoning and land use are important things to do. Regulation of the Minister of Tourism of the Republic of Indonesia Number 14 of 2016 further regulates that these guidelines, regulations and policies are communicated openly and law enforcement is implemented. In fact, in this ministerial regulation it can be seen that the tourism development plan is translated into a sustainable tourism destination policy that is capable of realizing national tourism development that is appropriate according to local culture, socially acceptable, prioritizing local communities, non-discriminatory and environmentally friendly.

The Bali Province Regional Regulation on Balinese Cultural Tourism also regulates this, especially in the provisions of Article 11 which stipulates that the development of tourism destinations must be carried out by paying attention to local wisdom such as the beliefs of the Balinese people which are based on Tri Hita Karana and imbued with Hinduism. Then the second is also related to cultural and environmental sustainability, such as traditions, Balinese customs, and regulations regarding the environment, the economic potential of the community and the sustainability of tourism businesses. The fourth strategy can be carried out through empowering local communities, which is often known as community based tourism. Community based tourism in tourism development plays an important role. The important role of local communities in the development of sustainable tourism destinations has encouraged the emergence of a new trend in community-based tourism development. It has even been emphasized that an important aspect in sustainable tourism is the emphasis on community-based tourism. Community-based tourism is a tourism development concept that is compatible with sustainable tourism. So community empowerment in terms of tourism development is one form of sustainable tourism development (I Made Adikampana, 2017).

Community-based tourism is a tourism development concept that is compatible with sustainable tourism. So community empowerment in terms of tourism development is one form of sustainable tourism development. This concept prioritizes active community participation with the aim of providing prosperity for them while maintaining environmental quality, as well as protecting social and cultural life, so that its implementation is able to support the achievement of the three pillars of sustainability, namely sustainability in the economic, environmental and socio-cultural fields(I Nyoman Darma Putra, 2015). This concept prioritizes active community participation with the aim of providing welfare for them while

maintaining environmental quality, as well as protecting social and cultural life, so that its implementation is able to support the achievement of the three pillars of sustainability, namely sustainability in the economic, environmental and sociocultural fields. A tourism management model based on community based tourism is very important to implement. This is in accordance with the aim of establishing Law Number 10 of 2009 concerning Tourism, namely to increase the prosperity and welfare of the people. This development model cannot be separated from religious values, the culture that lives in society as well as the sustainability and quality of the environment. The community based tourism empowerment model can of course provide opportunities for the community to play a role in developing a tourist village so that it can improve the welfare of the local community which of course is expected to realize sustainable tourism development. Management of tourism areas that have potential, if done wisely, can also attract tourist interest and intentions. Tourism area activities carried out also require involvement from various parties such as the government, managers, local communities and tourist visitors. This tourism activity certainly has an influence on the lives of local communities which will have an impact on economic prosperity and cultural and environmental preservation.

In the development and development of tourism in Bali, it actually has strong potential as basic capital, namely in cultural, symbolic and social aspects. The existence of traditional heritage from generation to generation with the ownership of cultural objects of high value is an important point in the cultural capital possessed by indigenous peoples who have a very strong cultural style, their actualization is realized by the existence of traditional beliefs and also historical spaces that are not can be found by other people. Apart from that, there are also village tours as a form of representation of the Bali Aga symbol which is symbolic in tourism development practices. Social capital is regulated by customary rules such as awig-awig to harmonize the social system regarding land use for existing tourism. The reality that occurs is in line with the description of cultural production initiated by Pierre Borideu, the need for strengthening the integrity of space (tourist areas), habitus (social, symbolic and cultural capital) which can produce a form of sustainable tourism development strategy.

CONCLUSION

Based on the discussion stated above, it can be concluded as follows: (1) The nature of the role of indigenous communities in organizing sustainable Balinese cultural tourism by prioritizing the concept of cultural tourism, namely by empowering the existence of local communities by developing local wisdom which has become an ancestral heritage. This can provide benefits from an economic, social, cultural and environmental perspective. Balinese Cultural Tourism with the Tri Hita Karana concept, namely the concept of balance in living life between God, humans and the environment (prahyangan, pawongan, palemahan) or three causes of prosperity, happiness and well-being, which implies one ideal that will have a relationship reciprocity between tourism and culture, so that both increase in harmony, harmony and balance: and (2) The model for regulating the role of indigenous communities in organizing sustainable Balinese cultural tourism by indigenous communities focuses on longterm tourism development that minimizes negative impacts on the environment. The government has a strategic role in formulating appropriate tourism development policies, especially in the planning sector as outlined in the tourism development master plan for both provinces and districts/cities. The values of the Tri Hita Karana philosophy and the local wisdom of Sad Kerthi are very appropriate to be applied in formulating sustainable tourism development policies. Apart from formulating policies, strategies for developing environmentally based sustainable tourism in tourism supporting facilities can be carried out by ensuring that all development is in accordance with its intended purpose so as to reduce negative impacts on the environment. Community based tourism in tourism development is also very important to do by upholding the principles of religious and cultural values that live in society as well as environmental sustainability. The community based tourism model can of course provide opportunities for the community to play a role in developing a tourist village so that it can improve the welfare of the local community which of course is expected to realize sustainable tourism development.

REFERENCES

- Alfian, 2015, Persepsi Masyarakat TentangKebuayaan: Kumpulan Karangan, PT. Gramedia, Jakarta.
- Diantha, I Made Pasek, 2017, *Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum*, Cetakan ke-2, Prenada Media Group, Jakarta.
- Dikampana, I Made, 2017, *Pariwisata Berbasis Masyarakat*, Cakra Press, Denpasar.
- Hausler, N. & W. Strasdas, 2003, *Training Manual For Community-based Tourism*, Inwent, Zschortau.
- Putra, I Nyoman Darma, 2015, *Pariwisata Berbasis Masyarakat Model Bali*, Buku Arti, Denpasar.
- Soekanto, Soerjono, 2010, *Pengantar Penelitian Hukum*, Edisi Revisi, Universitas Indonesia Press, Jakarta.
- Soemitro, Ronny Hanitijo, 2011, *Metode Penelitian Hukum dan Jurumetri*, Edisi Revisi, Ghalia Indonesia, Jakarta.
- Tasci, Asli D.A., Kelly J. Semrad & Semih S. Yilmaz, 2013, Community Based Tourism Finding The Equilibrium in COMCEC Context, Setting the Pathway for the Future, COMCEC Coordination Office, Ankara.
- Theobald, William F., 2005, *Global Tourism*, Elsevier Inc, New York.
- Waluyo, Bambang, 2011, *Penelitian Hukum Dalam Praktik*, Penerbit Sinar Grafika, Jakarta.

- World Tourism Organization (WTO), 2005, Making Tourism More Sustainable, A Guide for Policy Makers, UNEP & WTO, Geneva.
- Evita, Rossi, I Nyoman Sirtha dan I Nyoman Sunartha, 2012 Dampak Perkembangan Pembangunan Sarana Akomodasi Wisata Terhadap Pariwisata Berkelanjutan di Bali, JurnalIlmiah Pariwisata, 2(1).
- Giampiccoli, Andrea & Janet Hayward Kalis, 2018, Community-Based Tourism and Local Culture: The Case of The Amampondo, *PASOS: Revista de Tourismo y Patrimonio Cultular*, 10(1): 173-188.
- Jayantiari, I Gusti Agung Mas Rwa dan I Gusti Ngurah Dharma Laksana, Optimalisasi Pemajuan Kebudayaan MelaluiPengaturan Peran Desa Adat dalamPeraturan Daerah Provinsi Bali, *JurnalLegislasi Indonesia*, 20(4), 59-67.
- Jazuli, Ahmad, 2017, Penegakan Hukum Penataan Ruang dalam Rangka Mewujudkan Pembangunan Berkelanjutan, *Jurnal Rechtsvinding*, 6(2).
- Okazaki, Efsuko, 2018, A Community-Based Tourism Model: Its Conception and Use, *Journal of Sustainable Tourism*, 16(5), 551-529.
- Putra, Ida Bagus Wyasa, 2011, Kebudayaan Sebagai Sumber Daya Ekonomi: MemulihkanIdentitas, Meningkatkan KesejahteraanUmatManusia, Makalah, Disampaikan pada Focus Group Discussion (FGD) dalam Bali World Culture Forum 2011, Dinas Kebudayaan PemerintahProvinsi Bali, Denpasar.
 - ______, 2015, A Contra-productive Impact of Indonesian New Legislation on Administrative Village Against Indonesian Indigenous Culture as an Economic Resources, International Conference on Access to Justice for Indigenous Peoples, Faculty of Law University of Malaya, Malaysia.
 - " *Bali dalam Gempuran Ideologi Asing*, Dimuatdalam Website: https://issuu.com/epaper-kmb/docs/bpo10012011, diaksestanggal 13 Oktober 2023.
